

# **ATTACHMENT**

## **A**

Affidavit

I swear under the penalty of perjury that the following statements are true to the best of my knowledge.


Today June 18, 2003, the OSHA representative was back in F.C.I. McKean factory and hooked up two inmates with (1) Air Sampler while they cut Micro Boards on the Keerf and Poaters. OSHA didn't place the same (2) machines on these inmates as they did inmate Woods and myself (Siggers) yesterday 6/17/03 as we cuted the Micro Boards on the small panel saw. This isn't right!! The same procedure that was given 6/17/03 should have been given today; also, yesterday 6/17/03 (Woods & Siggers) we were told in the a.m. hours around 7:35, to cut (1) one sheet of Micro Board at a time. That is not how we usually cut Micro Boards. Mr. Nolan, Mill 1 shop Foreman, told us to cut this way.

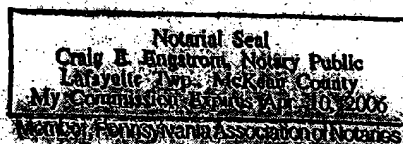
OSHA had Air Samplers catching dust while boards were being cut, but cuting (1) at a time, won;t amount to the dust we usually put out.

These statement were signed by inmate Siggers to secure his safety while still being incarcerated at F.C.I. McKean because of the statements and disposition regarding safety and MicroParticle Boards.

This letter was signed in the presence of a Federal Notary Public this 24<sup>th</sup> day of June in the year 2003.

  
Mr. Kevin L. Siggers Sr.

  
Notary Public



## AFFIDAVIT

I swear under the penalty of perjury that the following statements are true to the best of my knowledge.

Today April 25, 2003, our supervisor Mr. Nolan, told us not to blow dust when we clean or run the machines. prior to April 25, 2003, we were cleaning the machines by using a air nozzle to blow the dust free from the machines, then we used a broom to sweep the dust up. This method has dust flying in the air, that is inhaled when we breath.

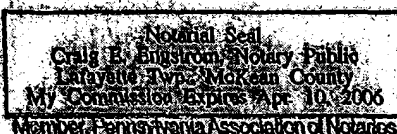
Today April 25, 2003, our foreman Mr. Nolan told us around 7:15 a.m. to clean machine using the shop's vacs, but not to use the air nozzle, so that dust wouldn't be in the air when safety comes in. We were told to cut three(3) Tack boards for safety. Safety asked questions about cleaning, but due to Foreman Nolan and Marty Sapco, Shop Supervisor, standing close, I was afraid of loosing my job, so I didn't tell safety how we were cleaning the machines before Friday April 25, 2003. Only one (1) Air Respirator was being used during the Tack-Board's final process, and that's the Keerfer. We use small face masks that leaves us breathing hard once the day is over and we have to to up the hill walking.

These statements were signed by inmate Siggers to secure his safety while still being incarcerated at F.C.I McKean because of the his statements and disposition regarding safety and Micro Particle boards.

This letter was signed in the presence of a Federal Notary Public this 24<sup>th</sup> day of June in the year 2003.

Mr. Kevin L. Siggers Sr.  
Mr. Kevin L. Siggers Sr.

[Signature]  
Notary Public



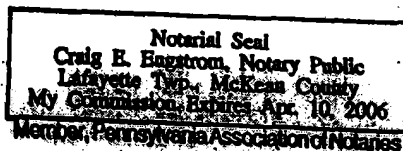
## Affidavit

I swear under the penalty of perjury that the following is a true and accurate account of the safety violations that I witnessed throughout my employment at the F.C.I. McKean Unicolor.

During the entire period of my employment at the Unicolor I was never advised, instructed, or directed by any Unicolor staff, or safety staff on the proper clean up procedures, the proper protective gear, and how to wash my clothing. I've blown dust with the air hose throughout my employment, I've witnessed other inmates and staff blow dust from machines as well as the floor. I've handled tac boards/micore and particle boards. I've machined, sawed and stacked these boards in a manner that created lots of dust. I have done this without a NIOSH approved respirator, without loose fitting clothing closed at the neck and wrist, and without washing my clothing separately after work. I have never been fitted for a respirator, I've never been advised, instructed or directed concerning the respirator program. I became aware of the risk involved by breathing and handling silica sand, and wood dust on my own. All or most of the safety talks and videos I've been shown were not in reference to the hazards that exist from handling materials in F.C.I. McKean's Unicolor factory. I thought and was made to believe that the, do it best garden mask, that Unicolor provided me throughout my career was sufficient to protect me from breathing anything hazardous while working in Unicolor. The material Safety Data Sheets that were made available to me and others say dust mask and shows respirator crossed out. I've only seen a respirator worn one time by one inmate and even though he wore a respirator, he did not wear loose fitting clothing closed at the neck and wrist when he was cutting, handling, and other wise exposed to silica sand. and wood dust in the tac boards and particle boards.

I swear under the penalty of perjury that the above statements are true so help me God Carlos Hicks 5/6/2003

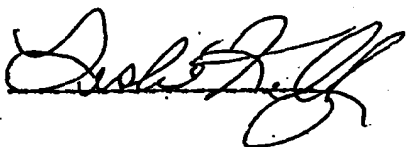
Craig E. Hagstrom 5/6/03



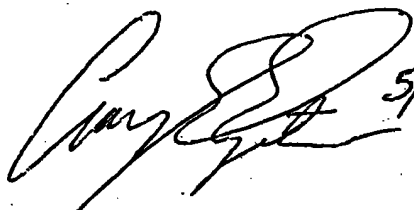
AFFIDAVIT

I became aware through reading the reading of the MSDS that Unicolor was not providing the proper safety gear, or environment within the Unicolor to insure my safety. I was assigned to Unicolor for approximately 8 months. Throughout my assignment I witnessed the blowing of dust with air hoses, sweeping, smoking, throughout the building, and I never saw any of the protective gear described and recommended in the MSDS that should be worn when handling, machining, sawing, sanding or otherwise. I have breathed dust from particle board, tac board and fumes from Lockweld 0861. I am very concerned because I suffer on going upper respiratory problems. I know others with the same problems.

I swear under the penalty of perjury that the above statements are true so help me God.




5-8-03

 5/8/03

Authorized by the Act of July  
7, 1955 to Administer Oaths  
(18U.S.C. 4004)

Notarial Seal  
Craig E. Engstrom, Notary Public  
Lafayette Twp., McKean County  
My Commission Expires Apr. 10, 2006  
Member, Pennsylvania Association of Notaries


  
Case Manager  
F.C.I. McKean, PA

AFFIDAVIT

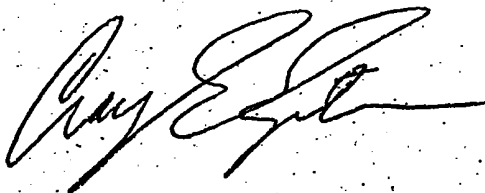
I swear under the penalty of perjury that the following statements are true and accurate accounts of safety and health violations that occurred throughout my employment at F.C.I McKean Unicor.

Throughout my employment I have breathed wood dust from particle board, silica sand dust from tac-boards and fumes from Lockweld 0861. This has happened because the factory was not properly ventilated, I was not given the proper protective gear, and improper clean up procedures which allowed blowing of dust with air hoses, sweeping particles with brooms, fans blowing in and around saws that cut tac-boards and particle boards is an on going occurrence. The recommended MSDS procedures for protection against ingredients such as silica sand, and aldehyde are not and have not been followed throughout my period (2yrs.) of employment. I have had dust from both tac-board/Micore and Particle boards all over me. I have handled and worked closely in areas where this material has been sawed, machined, broken, stacked and blown off with air hoses. I have witnessed other inmates do the same without protective gear. I have never been offered a NIOSH approved respirator or protective clothing. I've complained and nothing has changed.

I swear under the penalty of perjury that above statement is true and accurate to the best of my knowledge.

  
Kenny Hill

5-6-03  
Date



Notarial Seal  
Craig E. Engstrom, Notary Public  
Lafayette Twp., McKean County  
My Commission Expires Apr. 10, 2006  
Member, Pennsylvania Association of Notaries

## AFFIDAVIT

I swear under the penalty of perjury that the following statements are true to the best of my knowledge.

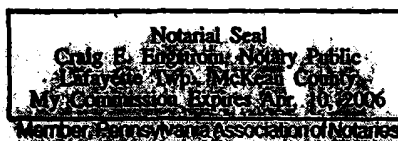
I, William Freeman, an inmate incarcerated at F.C.I. McKean at all times relevant to this affidavit, did and continue to work in the Unicolor Factory. I worked on the Panel Saw and cut various types of boards including tac-board, Micore/spec-board. The Panel Saw was at all times during my employment cleaned by air hose, the surrounding floor was also cleaned with the air hose. Dust from the tac-board and micore/spec-board is and was blown with the hose. I have had dust from these boards all over me. A nearby fan also creates and creates dust from the sawed and other wise machined tac-boards and micore/spec-boards. I was never offered a respirator, I was never trained in the use of a respirator, I was never trained by a supervisor in the proper use or clean up procedures for the Panel Saw. I was not given at any time the protective clothing recommended in the MSDS for handling boards with silica sand and treated wood. I was not told to wash my clothing separately from non-work clothes. I witnessed other inmates subject themselves to all of the above. For the most part, myself and others were only given at all times relevant a "Breathe easy garden dust mask". After reading the MSDS I noticed many other health and safety violations that have and are taking place in the McKean Unicolor Factory. I.E., smoking is allowed in the building in close proximity to dust clouds and non-smokers. The combinations of dust, fans, improper clean up procedures, smoking, lack of protective gear and lack of safety enforcement has created an unhealthy work environment.

I swear under the penalty of perjury that the above statement is true to the best of my knowledge.

4-14-03

*William a Freeman*  
*William a Freeman*

*[Signature]* 4/14/03





## Affidavit

I swear under the penalty of perjury that the below statements are true and they are accurate accounts of events related to safety violations that occurred throughout my employment at the F.C.I. McKean Unicor from on or about sometime in August 2002 through April 21, 2003.

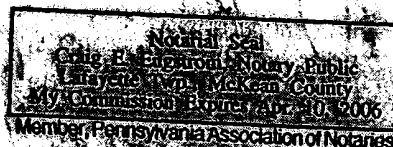
Throughout my Unicor employment all safety talks and safety videos that were had, did not in any way talk about or show any protective measures related to hazards that exist or may exist from handling materials in F.C.I. McKean's Unicor. This includes Silica Sand, Wood dust, and Lockweld 0861 Contact Adhesive. Throughout my employment I have been allowed to work in and around areas where machines are blown off with air hoses, the floor around the machines blown with air hoses, the floor swept with brooms, fans are blowing, there are clouds of cigarette smoke from the adjacent smoking area, and clouds of wood dust from particle board. Myself and other inmates have at times been covered with dust from tac boards and particle boards. At one point a Shop-vac was used to exhaust and provide ventilation from dust created by the router machine used to cut Micore/tac boards. I knew nothing about the use of a respirator and neither was I ever told to wash clothes separately after handling boards with silica sand in them. Since I was laid off on 4-21-03 the Delta Shaper/bit router 1/2 inch radius curve machine that is used to cut, saw or sand tac boards has been provided covers to help keep down dust. The Material Safety Data Sheets available to inmates at F.C.I. McKean Unicor have respirator marked out. I was told that there is only one respirator. I was only given a breath easy dust mask for every task. This mask is not suitable for use against toxic dust, silica, or other toxic fumes/dust, unknowingly I continued to use the breath easy dust mask. I was not formally put on notice that there was available Material Safety Data Sheets accessible to me until 8 months after I started working in Unicor and had suffered several bouts of upper respiratory problems. I knew nothing about being fitted for a respirator and neither was I told or fitted. I became aware of the hazards of Lockweld 0861, silica sand, and wood dust after reading the MSDS and when I complained I was laid off. I was told that I should not work in a place that's unsafe. No one else was placed out of harms way.

I swear under the penalty of perjury that the above statements are true and accurate accounts of events that occurred during my employment at F.C.I. McKean's Unicor.

5/6/03  
Date

Malcolm W. Hill  
Signature

[Signature]





## AFFIDAVIT

The following statements are true accounts of events that I have witnessed and some events I have personally taken part in during my period of employment at Federal Prison Industries McKean (Unicor).

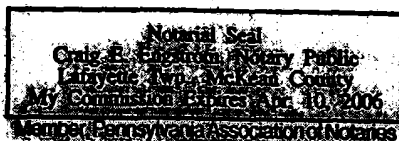
I have been employed in F.C.I. McKean Unicor from April 2002 to the present May 8, 2003. Throughout this period of time, I was not made aware of the potential health hazards that exist from the dust of Micore or Particle boards, the potential hazards of Lockweid 0861 Contact Adhesive, nor the explosion hazard if dust clouds from machined, sawed, or sanded particle boards, contact an ignition source. I was alerted to these hazards through my own research after seeing one inmate wear a respirator while using a machine called the Delta Shaper. He was working with the material Micore and lots of dust was created because there was no cover over the bit to limit the dust and a common vacuum was used as the dust collector. He had the one and only respirator available in the whole factory. Myself and other inmates have been allowed to stack and handle Micore in a way where making dust could not be avoided, wearing a dust mask for non-toxic dust and powders only. I have been in areas where the dust from Micore and Particle boards after being panel sawed, were air hosed, caught in the wind from the fan overhead and spread over myself and other inmates in these areas. I have witnessed staff as well as inmates strike matches to light cigarettes before reaching the indoor smoking area. I have had problems breathing properly, swelling inside of nostrils, uncontrolled coughing and other health problems for the last 6 to 7 months.

I swear under the penalty of perjury that all of the above statements are true and happened during the time period of April 2002 through May 8, 2003.

Myron Ward  
Myron A. Ward

5/6/03  
Date

Ray E. Galt 5/6/03



AFFIDAVIT

I swear under the penalty of perjury that the following statements are true and accurate.

On May 15, 2003 OSHA came into the FCI McKean Unicor Factory and conducted depositions. That night (5/14/03) I witnessed inmates machine micore boards on the Horizontal Boring machine without respirator protection. On June 13, 2003 respirators were made available to machine operators and others who handle the micore boards. On June 26, 2003 respirators were given out on the Unicor Night shift to inmates who handle micore boards. Between the time when respirators were made available on the day shift Unicor (5/14/03) and when they were passed out on the night shift (6/26/03), I witnessed inmates machine micore boards on the Horizontal Boring Machine by instruction from Dave English, without respirator protection twice between those dates.

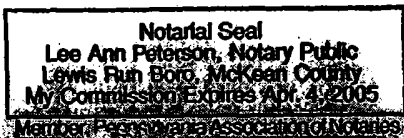
I swear under the penalty of perjury that the above statements are true and accurate to the best of my knowledge.

Sworn to before me this

24th day of July 2003

Lee Ann Peterson  
Notary Public

Myron Ward  
Myron Ward



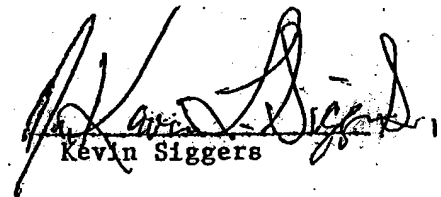
## AFFIDAVIT OF KEVIN SIGGERS

On Thursday July 3, 2003 at approximately 12:19 p.m. I, Kevin Siggers Reg. No. 51627-( was called to the side by Shop Forman Chuck Nolan. Mr. Nolan talked to me stating, "haven't I always looked out for you", and "I always try to respect you". Mr. Nolan then asked me, "are guys making you file complaints?" I told Mr. Nolan no and that I was doing it for my own health and safety. Mr. Nolan then walked me to the front of the factory, and Mr. Marty Sapko came by. Mr. Sapko asked what was he (Mr. Nolan) doing and he said he was showing me about the Micore/tac boards on the MSDS. Mr. Nolan went on to explain that the micore boards won't hurt me and the "dust mask" (Do it best breathe-easy dust mask) were all I needed that I was not in danger using these masks. While he was showing me this, the MSDS still spoke about NIOSH approved respirators. Mr. Nolan stated "these boards are safe!" The side of the Dust Mask box shows that the mask do not protect against silica which is an ingredient in the boards I'm instructed to work with. Shop Forman Nolan took me into the factory office for close to 20 minutes talking about treating me right and that it was Shop Forman Jim Poratti who kept doing me wrong and not him. During this meeting, Shop Forman Randy Cook came into the office and got into the conversation. Mr. Cook said that even if silica causes silicosis, it was not harmful. I told him (Mr. Cook) that he was wrong and that I was worried about my health and safety, that is why I filed my complaints. After leaving the office mr. Nolan was mad because I told him that I wasn't properly trained on cleaning procedures or cutting micore/tac-boards by any staff in the factory. What I know was taught to me by another inmate and I taught it to my co-worker inmate Woods #63844-061.

I swear under the penalty of perjury that the above statements are true and accurate to the best of my knowledge.

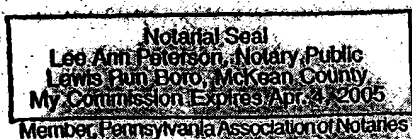
Sworn to before me this

24th day of July 2003

  
Kevin Siggers

  
Notary Public

-10-



AFFIDAVIT OF MYRON WARD

I swear under the penalty of perjury that the following statements are true and accurate.

On July 22, 2003, I was instructed by Head Forman Dave English to help out on the Panel Saw where particle boards were being cut. While working in the panel saw area, I noticed that a air hose was still being used to blow wood dust off of the machine during operation and when cleaning up the dust at the end of the night. After being in the panel saw area for some minutes, my eyes began to itch. I left the area and put in a sick call slip at the hospital on July 23, 2003 because my eyes itched for most of the night. That same night (July 22, 2003) I noticed that a air hose was being used by inmates on the CNC machine also, to blow wood dust off of the machine and during clean up.

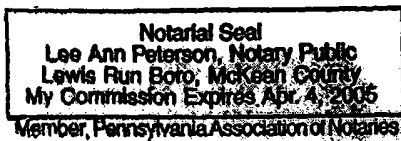
I swear under the penalty of perjury that the above statements are true and accurate to the best of my knowledge.

Sworn to before me this

24th day of July, 2003

Myron Ward  
Myron Ward

Lee Ann Peterson  
Notary Public

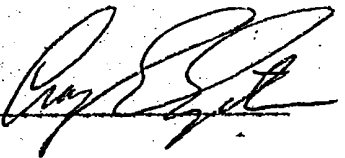


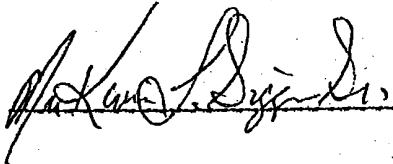
AFFIDAVIT

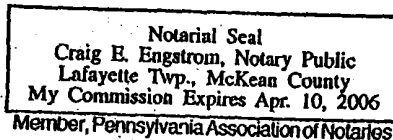
I swear under the penalty of perjury that the following statements are true to the best of my knowledge.

I've been employed in the FCI McKean Unicor Factory since or around April 1999. I was assigned to the Panel Saw sometime in 2001. Throughout the entire course of my employment to present, I have used air hoses to blow dust in an attempt to clean up. I have witnessed other inmates do the same. Staff never instructed me on the proper clean up procedures. I was never instructed or given loose fitting clothes tight at the neck and wrist while cutting and machining tac-board/micore board. I was never instructed or given a NIOSH approved respirator while cutting and machining tac-board/micore board. I was never fitted or instructed on the use of an NIOSH approved respirator. I have had dust from tac-board/micore board all over my body and was only instructed to use the breathe easy paper dust mask. I witnessed other inmates subject themselves to the same. Any and all safety talks including those that showed videos did not provide information in reference to FCI McKean Unicor nor did these safety talks/videos provide any information in reference to tac-board/micore board. I was not instructed, directed, or put on notice that Material Safety Data Sheets were available for my viewing in the Unicor. I recently became aware of this. I was just recently told not to blow the dust with the air hose and the pressure of the air hose has been turned down from 70 lbs.

I swear under the penalty of perjury that the foregoing statements are true and accurate to the best of my knowledge.

 6/24/23







## AFFIDAVIT

I swear under the penalty of perjury that the following statements are true to the best of my knowledge.

On this date, 6/17/03 at approximately 7:15 a.m., inmate Woods and myself were hooked up to two machines. The types of machines were, (1) Air sampler and (1) Air ventilator. They were clipped on the shirts of both inmate Woods and myself. Present in the staff office at the time, where this process was taking place, were following staff members of F.C.I. McKean: Charles Nolan, Mr. Snyder, Mr. Sapco, Mr Tengly, Safty Supervisor Houser, and Mr. Cook.

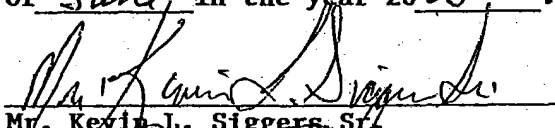
These machines will hang on our bodies all day while we cut "Fiber/ Micro particle boards also known as "Tack board" ~~board~~<sup>TICKET</sup> numbers: #PDM - 95135/ PLM0108, #PDM - 95136/PLM0108, #PDM - 95137/ PLM0108, and #PDM - 95135/ PLM 0108.

At approximately 8:45 a.m., a representative from OSHA took dust and air samples from some devices that he had connected to the machines. Around 9:25 a.m., inmate I (Siggers) asked Shop foreman Charles Nolan for permission to ask the OSHA rep. for a copy of the disposition that I early had given within the shop office and in the presents of the union rep. and Safety Supervisor Mr. Houser. I then was informed by the OSHA rep. that I will receive a copy of the disposition; furthermore, that Foreman Nolan will have a card with the OSHA's address on it.

Approximately at 2:00 p.m. the job and evaluation were completed, and both inmate Woods and myself were un-hooked from the machines

These statements were signed by Inmate Siggers to secure his safty while still being incarcerated at F.C.I. McKean because of the statements and disposition he had given to the OSHA representative regarding safety and Micro Particle Boards.

This letter was signed in the presence of a Federal Notary Public this 24<sup>th</sup> day of June in the year 2003.

  
Mr. Kevin L. Siggers Sr.

  
Notary Public

Notarial Seal  
Craig E. Engstrom, Notary Public  
Lafayette Twp., McKean County  
My Commission Expires Apr. 10, 2006  
Member, Pennsylvania Association of Notaries

## AFFIDAVIT OF WILLIAM ALSTON

I was employed at FCI McKean Unicor from March of 2001 through March of 2002. I was the Panel Saw Operator who cut all of the boards when they initially came into the factory. When I cut micore boards, I was instructed and allowed to cut them in stacks of six (6) to twelve (12) sheets high. This created a lot of dust. I was never given a respirator or told how to get one. I was given a Breathe Easy Dust Mask, which does not protect against the Silica in Micore boards, at all times. I have had dust all over myself and have seen it all over other inmates and staff. I was instructed and allowed to use an air hose to clear the saw blade while cutting boards, while cleaning the floor and while blowing down the machines. When I asked my supervisor Nolan if the micore boards were harmful to me (with all of the dust that is usually created), he would say there are plenty of people on Unicor's waiting list that can take my place. I went to medical for a chest X-ray on or around March 20, 2002 and a spot was discovered on my lungs. Soon after that I was transfered from FCI McKean.

I swear under the penalty of perjury that the above statements are true and correct to the best of my knowledge.

Sworn to Before me  
this 15<sup>th</sup> day of June, 2005

William Alston  
William Alston

Anna K. Miller  
Notary Public

My commission expires

8/31/06

City / County of Prince George

Commonwealth/State of Virginia

The foregoing instrument was acknowledged  
before me this 15<sup>th</sup> day of June

2005, by William Alston  
(name of person seeking acknowledgment)

Notary Public

My commission expires: 8/31/04

-14-